



**In the
Missouri Court of Appeals
Western District**

**STATE OF MISSOURI, ex rel.
RYAN FERGUSON,**

Petitioner,

v.

**DAVE DORMIRE, Superintendent,
Jefferson City Correctional Center,**

Respondent.

WD76058

ORDER TO SHOW CAUSE PURSUANT TO RULE 91.05

This Court acknowledges Petitioner Ryan Ferguson's "Petition for Writ of Habeas Corpus" filed January 30, 2013 ("Petition") requesting the issuance of a Writ of Habeas Corpus pursuant to Rule 91.

This Court previously directed Respondent to file Suggestions in Opposition to the Petition by its Order dated February 11, 2013, and thereafter permitted Petitioner to file a Reply to the Suggestions in Opposition by its Order dated March 7, 2013.

The Court hereby issues an Order to Show Cause Why Writ of Habeas Corpus should not issue pursuant to Rule 91.05.

Respondent is obligated by Rule 91.09(b)(1) and (2) to Answer the Petition. The Answer is required: (A) to "be directed to the petition," (B) to contain a statement whether the Petitioner is being restrained and the authority for any such restraint, and (C) if the Petitioner has been transferred, to contain a statement indicating to whom and when and by what authority such transfer took place.

Respondent shall file an Answer to the Petition addressing (A), (B) and (C) above within ten (10) days from the date of this Order. In its Answer, Respondent is permitted to incorporate by reference its heretofore-filed "Suggestions in Opposition to Petition for Writ of Habeas Corpus" to comply with its obligation under (A).

Pursuant to Rule 91.12, Petitioner may, but is not required to, file a Reply to the Respondent's Answer. Any Reply shall be filed within ten (10) days after the filing of the Answer. If Respondent's Answer incorporates by reference its "Suggestions in Opposition to Petition for Writ of Habeas Corpus," Petitioner's heretofore-filed "Petitioner's Reply to Attorney General's Suggestions in Opposition to Petition for Writ of Habeas Corpus" will be treated as the Reply, and no further filing by the Petitioner will be required.

Consistent with the authority described in Rule 91.01(a), further details of procedure as may be necessary to the orderly course of this action shall be subject to further order of this Court.

Dated this 30th day of April, 2013.



Gary D. Witt
Presiding Judge, Writ Division



Joseph M. Ellis, Judge, concurs
Cynthia L. Martin, Judge, concurs.

cc: Samuel Henderson, Esq.
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